



Section 128

Patent
Attorney Docket: 263/168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor: Mark M. Wang et al.

Serial No.: 09/845,245

Filed: April 27, 2001

For: Methods and Apparatus for Use of
Optical Forces for Identification,
Characterization and/or Sorting of Particles

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

TRANSMITTAL OF MISSING PARTS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER
37 CFR § 1.53(f), which was mailed by the Patent Office on June 22, 2001, enclosed are:

- ☒ Declaration
- ☒ Power of Attorney: ☒ Separate or ☐ Combined with Declaration
- ☒ Assignment of the invention to GENOPTIX (together with PTO Form 1595)
- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)
- ☒ Formal (Substitute) Drawings - 19 Sheets

OC-95198.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

01/15/2002 HNDOR1 00000027 122475 09845245

01 FC:217 460.00 CH
October 31, 2001
Date of Deposit

Denise N. Doss

Name of Person Mailing Paper

Signature of Person Mailing Paper

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$200.00	\$400.00
<input checked="" type="checkbox"/> three months	\$460.00	\$920.00
<input type="checkbox"/> four months	\$720.00	\$1,440.00
<input type="checkbox"/> five months	\$980.00	\$1,960.00
Fee		\$460.00

- ☐ If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

- ☒ Applicant claims small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:						\$740.00
Total Claims	43	-	20	=	23	x \$18.00 \$414.00
Independent Claims	9	-	3	=	6	x \$84.00 \$504.00
Multiple Dependent Claims	\$280	(if applicable)			<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)			<input checked="" type="checkbox"/>	\$130.00
TOTAL OF ABOVE CALCULATIONS						\$1,788.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input checked="" type="checkbox"/> \$894.00
Extension of Time (from above)						\$460.00
Assignment -- \$40 (if applicable)						<input checked="" type="checkbox"/> \$40.00
TOTAL FEES SUBMITTED HEREWITH						\$1,394.00

IV. METHOD OF PAYMENT OF FEES:

- ☐ A check in the amount of _____ is enclosed to cover the above fee(s).
- ☒ Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of \$1,394.00.

☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: October 31, 2001

By: David B. Murphy

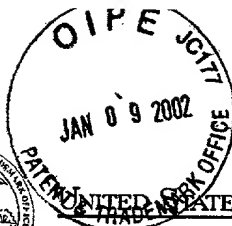
David B. Murphy
Reg. No. 31,125



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

COPY

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/845,245	04/27/2001	Mark M. Wang	263/168

CONFIRMATION NO. 2862

 22249
 LYON & LYON LLP
 SUITE 4700
 633 WEST FIFTH STREET
 LOS ANGELES, CA 90071-2066

FORMALITIES LETTER



OC00000006215650

Date Mailed: 06/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/15/2002 HNDOR1 00000027 122475 09845245

FILED UNDER 37 CFR 1.53(b)

 02 FC:201 370.00 CH
 03 FC:202 252.00 CH
 04 FC:203 207.00 CH
 05 FC:205 65.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$447.
 - \$207 for 23 total claims over 20.
 - \$240 for 6 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 867.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE